

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 18 1984

Returned to applicant for correction

Corrected application filed Map filed OCT 18 1984

The applicant Western States Minerals Corporation

P.O. Box 29 of Elko Nevada 89801

hereby make application for permission to change the Point of Diversion and Place of Use for (0.75 cfs) of a portion

of water heretofore appropriated under permit no. 45951

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground (Well no. 4)

2. The amount of water to be changed 0.75 cfs

3. The water to be used for Mining and Milling

4. The water heretofore permitted for Mining and Milling

5. The water is to be diverted at the following point SW 1/4 NW 1/4 Section 29 T 36 N, R 50 E, MDB & M., at a point from which the NW corner of Section 30, T 36 N. R 50 E, MDB & M., bears N 76° 19' 08" W 5807.41 feet.

6. The existing permitted point of diversion is located within NE 1/4 NW 1/4 of Section 25, T 36N, R 49 E, MDB & M., at a point from which the NE corner of said Section 25 bears N 84° 04' 09" E 3405.90 feet

7. Proposed place of use SE 1/4 Section 13; SE 1/4 NE 1/4, SE 1/4, E 1/2 SW 1/4 Section 23; Section 24; E 1/2 Section 25; Section 26; E 1/2 E 1/2 Section 27; NE 1/4 NE 1/4 Section 34; N 1/2 N 1/2 Section 35 T 36 N, R 49 E, MDB & M, Section 18; Section 19; SW 1/4 SW 1/4 Section 20; W 1/2 W 1/2 Section 29; Section 30, T 36 N, R 50 E, MDB & M.

8. Existing place of use E 1/2 SW 1/4, SE 1/4 NE 1/4, SE 1/4 Section 23; SEC. 24; E 1/2 Section 25; Section 26; E 1/2 E 1/2 Section 27; NE 1/4 NE 1/4 Section 34; N 1/2 N 1/2 Section 35, T36N, R 49E, MDB & M., S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4, Section 19; SW 1/4 SW 1/4 Section 20; W 1/2 W 1/2 Section 29; Section 30, T36N, R50E, MDB & M.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pipelines to leach mill and storage ponds.

12. Estimated cost of works \$75,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use of this well in combination with the Point of Diversion described in permit 45951 and certificate 10592 and proposed wells 4 and 5 will not exceed 78,454,000 gallons per year which is the total annual appropriation allowed under permit 45951 and certificate 10592.

By s/ Alan S. Boyack
Alan S. Boyack, Agent
515 SouthFifth Street
Elko, Nevada 89801

Compared ll/bm..... js/bc.....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45951 is issued subject to the terms and conditions imposed in said Permit 45951 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 37985, Certificate 10592, 45951, 48498, 48499 and 48500 shall not exceed 78.454 million gallons annually.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.75 cubic feet per second, but not to exceed 12.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 14, 1986

Proof of completion of work shall be filed before January 14, 1987

Application of water to beneficial use shall be made on or before December 14, 1987

Proof of the application of water to beneficial use shall be filed on or before January 14, 1988

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of April.....

Proof of beneficial use filed.....

Cultural map filed.....

A.D. 1985

Certificate No..... Issued.....

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.